



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 24, 2019

BY ECF

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Henry Perez, 19 Cr. 880 (RMB)

Dear Judge Berman:

The Government respectfully submits this brief reply letter for the limited purpose of correcting several statements in the defense's bail letter filed tonight. (Dkt. 23). First, notwithstanding the defense's representation (*id.* at 3), a bench warrant was previously issued for the defendant in one of his several prior criminal cases. That bench warrant, which was noted in the Pretrial Services Report, was issued on December 23, 2015 by the New York County Criminal Court. Second, at the presentment in this case, there was no dispute as to the amount of the bond—\$200,000. The presentment transcript speaks for itself. (The parties disputed other bail conditions.) Third, it is simply not the case that stand-alone location monitoring is “unavailable.” (*Id.* at 2). The undersigned has had several defendants on such monitoring, and to date, it has worked quite smoothly; the Government is not aware of any bail violations in those cases and has had no need to apply to the Court for access to location information. (The mere possibility of such an application by the Government may, as a practical matter, encourage defendants to remain compliant, with concomitant benefits for victims and potential victims.)¹ For the reasons set forth previously and herein, all five requested changes to the defendant's bail conditions are warranted.

Respectfully submitted,

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Pretrial Services Officer Dayshawn Bostic (by email)

¹ The Government also disagrees with the vast majority of the rest of the defense's letter, but seeks to limit this reply to facts, rather than arguments.